

May 16, 2007

BY ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: CG Docket No. 03-123

Dear Madam Secretary:

We are very concerned about NECA's proposal to eliminate marketing and outreach costs for STS and other forms of TRS. Cutting these costs would be a travesty and would send the wrong message to speech-disabled individuals and to the deaf and hard-of-hearing. Outreach and education have been critically important to the development of STS, both with regard to reaching people with speech disabilities and in educating others about this important service. STS call volumes are still extremely low, due to a lack of knowledge about the service. But STS call volumes rise rapidly when effective outreach is in place.

Based on our personal experiences, we can tell you that outreach really works. Outreach and education are essential to expanding the use of STS and other forms of TRS and meeting the ADA's universal service requirements. Relay services are of no use to people who don't know they exist. Outreach informs people with speech disabilities and deaf persons of the communications options that are available to them and teaches them how to use these services. Outreach efforts also educate non-speech-disabled and hearing people so that they become more familiar with receiving and making relay service calls. Educational outreach programs offer a proven and effective means of reaching the statutory goals for STS, VRS, and other forms of TRS. Any rate adopted by the FCC must give TRS providers the incentive and the funding to increase outreach efforts.

Given that one of the key obstacles preventing more people from using profoundly life-affecting relay services such as STS is the lack of sufficient outreach, the FCC should not adopt an STS rate that does not include funding for outreach. In fact, we strongly urge the FCC to set a reimbursement rate that encourages more outreach, not less. These outreach efforts are essential to fostering increased call volumes and increased quality of service. The current expenditures on outreach are far too low. According

to NECA's filing, STS providers are planning to spend only about \$32,000 on marketing and outreach ($\$3.4546 - \$3.3278 = \$0.1268$; $\$0.1268 \times 253,327 \text{ minutes} = \$32,122$). This is far too little to spend to get the word out on this important, but relatively unknown service. We believe that the FCC should increase the rate further to make sure that providers spend more money on outreach.

For similar reasons, we also oppose all of NECA's attempts to lower providers' projected rates by relying on historical costs, or by adjusting providers' projected costs. These lower rates would just lead to less outreach and poorer service for STS. That result is obviously unacceptable.¹

The FCC has a duty to act to protect the speech-disabled, the deaf and the hard of hearing and to act as advocate for these under-represented groups. We strongly urge the FCC to take this responsibility seriously and set a reimbursement rate that encourages more outreach, not less. Accordingly, the FCC should adopt a rate for STS that is no lower than the \$3.4546 rate projected by providers. In fact, the FCC should adopt an even higher rate that encourages more outreach and marketing. In no event should the FCC adopt any rate that does not include funding for outreach or marketing or that is based on historical costs or is otherwise adjusted to lower the rate below what is needed to make sure that Americans with speech disabilities know about and have access to the best possible relay service that puts them on the same footing as other Americans who use the traditional phone system. Anything less would be contrary to the ADA and an insult to the speech-disabled.

This letter is submitted as an *ex parte* communication in the above-referenced proceeding, and is filed pursuant to Section 1.1206 of the Commission's rules.

Very truly yours,

¹ One thing NECA got right, was its decision to propose a stand-alone rate for STS, instead of a combined rate for STS, TTY and IP Relay. As Dr. Segalman explained in the letter he filed back in March, adopting a single rate for STS, TTY and IP Relay likely would reduce outreach for STS and impede the use of STS. This is unacceptable, especially given the fact that speech-disabled users already are underserved by TRS providers even at the current STS rate. That is one of the main reasons we object to Hamilton's so-called MARS plan, which tries to come up with a single rate for everything but VRS.

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